

January 28, 2020

Chairman Frank Pallone  
House Committee on Energy and Commerce  
2125 Rayburn House Office Building  
Washington, DC 20510

Ranking Member Greg Walden  
House Committee on Energy and Commerce  
2322 Rayburn House Office Building  
Washington, DC 20510

Chairwomen Anna Eshoo  
Subcommittee on Health  
House Committee on Energy and Commerce  
202 Cannon House Office Building  
Washington, DC 20510

Ranking Member Michael Burgess  
Subcommittee on Health  
House Committee on Energy and Commerce  
2161 Rayburn House Office Building  
Washington, DC 20510

Dear Chairman Pallone, Ranking Member Walden, Subcommittee Chairwoman Eshoo, and Subcommittee Ranking Member Burgess:

The undersigned organizations, representing millions of patients, advocates, caregivers, and health care professionals urge the House Energy and Commerce Committee to take swift action to address a major public health concern for patients and their physicians by passing H.R. 5668, the Making Objective Drug Evidence Revisions for New Labeling Act (MODERN Labeling Act).

Patients and their caregivers, physicians, and nurses, need high quality sources of information about the prescription drugs they use, and that means up-to-date drug labels. While many sources of information exist, none can deliver as strong assurances of reliability and scientific accuracy as FDA-approved product labels. Labels are the most carefully-vetted sources of prescribing information available today and play a critical role in safeguarding the public health. A recent study by Friends of Cancer Research (*Friends*) shows that many drug labels are considerably out of date, despite the critical role they can play in informing treatment decisions, and offer guidance to prescribers on the appropriate and safest use of drugs to treat patients.

Representatives Doris Matsui (D-CA) and Brett Guthrie (R-KY) have introduced H.R. 5668, the MODERN Labeling Act. The bill addresses a discrepancy that can occur when new scientific information relevant to a drug's indication is not incorporated into its label. This often occurs to generic drugs, particularly those whose reference listed drug (RLD) has been removed, which leaves an inaccurate or incomplete generic drug label "frozen in time". The legislation addresses this issue by giving the FDA the authority to require updating of generic drug labels where the RLD has been removed to reflect new information relevant to the drug and its use. This Act also determines a process through which the FDA can identify labels to be updated, notice label holders, and allows for a process for label holders to submit modifications to the notice.

We urge immediate passage of the MODERN Labeling Act by the House Energy and Commerce Committee, and the full House, to address this public health concern to ensure the FDA can update outdated labels and protect patients across the country.

Sincerely,

Alliance for Aging Research  
American Association for Cancer Research (AACR)  
American Cancer Society Cancer Action Network (ACS CAN)  
Cancer Support Community  
Children's Cancer Cause  
Fight Colorectal Cancer  
Friends of Cancer Research  
GO2 Foundation for Lung Cancer  
LUNgevity Foundation  
National Alliance on Mental Illness  
National Comprehensive Cancer Network (NCCN)  
National Multiple Sclerosis Society  
National Organization for Rare Disorders  
St. Baldrick's Foundation  
Susan G. Komen